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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/597,183	07/14/2006	Declan Patrick Kelly	NL040043	7281
24737 7590 03/12/2010 PHILIPS INTELLECTUAL PROPERTY & STANDARDS P.O. BOX 3001 BRIARCLIFF MANOR, NY 10510				
EXAMINER REVAK, CHRISTOPHER A				
ART UNIT 2431		PAPER NUMBER		
MAIL DATE 03/12/2010		DELIVERY MODE PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/597,183

**Applicant(s)**

KELLY, DECLAN PATRICK

**Examiner**

Christopher A. Revak

**Art Unit**

2431

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 July 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 July 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date: \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date: \_\_\_\_\_

## DETAILED ACTION

### *Priority*

1. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

### *Claim Rejections - 35 USC § 102*

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Supramaniam et al, U.S. Patent 7,478,418.

As per claim 1, it is taught of a method of controlling access to a communication network, characterized in that the method includes the steps of (a) providing a device that can be communicatively coupled to the network, the device being arranged to include computing means coupling to associated local data storing means; (b) arranging for the computing means to execute one or more software applications therein which are at least in part operable in a substantially seamless manner to a user of the device for accessing data content from one or more of the local storing means and the network;

(c) arranging for the computing means to be at least partially restricted regarding data content that it is capable of receiving from the network and/or requesting from the network (col. 3, lines 8-25; col. 20, lines 39-56; and as shown in Figures 1B & 1D).

As per claim 2, it is disclosed wherein the device is arranged to communicate with the network by software means other than one or more browser software applications (col. 3, lines 8-25 and col. 14, lines 46-61).

As per claim 3, it is taught wherein the device is capable of being restricted according to one or more of the following categories (d) access/no access to the network; (e) access to the network subject to user authorization; (f) access to the network as defined in a parameter list maintained in association with the device; and (g) access to the network as defined in association with a given data carrier compatible with the storing means (col. 3, lines 8-25 and col. 14, lines 46-61).

As per claim 4, it is disclosed wherein in step (e) the user is presented with a choice of whether or not to authorize on at least a first occasion that a new given data content delivering site in the network is to be accessed (col. 3, lines 8-25 and col. 14, lines 46-61).

As per claim 5, it is taught wherein the user is presented with one or more Uniform Resource Locators (URL) that he/she can authorize the device to access (col. 8, lines 44-58 and col. 22, lines 38-39).

As per claim 6, it is disclosed wherein the device can be set to be subject to a default degree of access to the network which can be overridden by at least one of (h)

user's choice; and (i) degree of access determined in association with a given data carrier presented to the storing means (col. 8, lines 44-58 and col. 22, lines 38-39).

As per claim 7, it is taught wherein the device is operable to return to a default state of access to the network when one or more of the following states have arisen re-booted or powered down (col. 17, lines 18-35 and col. 23, lines 6-9).

As per claim 8, it is disclosed wherein the degree of access to the network is dependent upon one or more data carriers presented to the storing means (col. 8, lines 44-58 and col. 22, lines 38-39).

As per claim 9, it is taught wherein the partial restriction applied to the computing means in step (c) is arranged to at least partially prevent those software applications from being downloaded from the network to the device which are executable on the computing means to enable access from the network to data content present in the device (col. 3, lines 8-25).

As per claim 10, it is disclosed wherein the network corresponds to the Internet and the device is a portable handheld apparatus, more preferably an optical disc data medium player or a DVD-player (col. 5, lines 30-35 & 39-42).

As per claim 11, it is taught wherein the storing means is arranged to accept one or more optical memory discs, electronic memory modules, and magnetic discs as data carriers to provide executable software applications and/or data content to the computing means (col. 25, lines 1-13).

As per claim 12, it is disclosed of a device for communicating with a communication network, characterized in that the device is arranged to include

computing means coupling to associated local data storing means, the computing means being operable in a substantially seamless manner to a user of the device for executing one or more software applications therein which are at least in part capable of accessing data content from one or more of the local storing means and the network, and the computing means is arranged to be at least partially restricted regarding data content that it is capable of receiving from the network and/or requesting from the network (col. 3, lines 8-25; col. 20, lines 39-56; and as shown in Figures 1B & 1D).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher A. Revak whose telephone number is 571-272-3794. The examiner can normally be reached on Monday-Thursday, 9:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on 517-272-7589. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher A. Revak/  
Primary Examiner, Art Unit 2431